
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

IN RE APPLICATION OF J.B.

ANDREW HAN BRAINARD,

Petitioner,

v.

JORDAN DIANE VAUGHN,

Respondent.

**ORDER DEFINING ROLE AND DUTIES
OF THE GUARDIAN *AD LITEM***

Case No. 2:18-cv-130

District Judge Jill N. Parrish

On March 13, 2018, the court appointed Mr. Sam Sorensen as guardian *ad litem* of the minor child, J.B., in this matter. *See* ECF No. 40. Earlier today, Mr. Sorensen filed a motion asking the court to define his role and duties. *See* ECF No. 46. The court hereby orders Mr. Sorensen to undertake the following duties as guardian *ad litem*.

1. Investigate all aspects of J.B.'s social background by talking to the Petitioner, Respondent, J.B., and engaging in any further fact inquiry or investigation that he deems appropriate.
2. Investigate Respondent's allegations of abuse and the extent of any harm caused to J.B., for the purpose of determining whether Respondent's allegations are accurate.
3. Provide facts, evidence, and recommendations concerning whether returning J.B. to New Zealand would expose her to a grave risk of physical or emotional harm or subject her to an intolerable situation.
4. Provide facts, evidence, and recommendations concerning whether Petitioner consented to Respondent's removing J.B. to and retaining her in the United States.

The court notes that this is not an exhaustive list. Mr. Sorensen's duty in his role is to represent J.B. and assist the court in pursuing its Hague Convention inquiry. However, "[t]he Convention and [ICARA] empower the courts in the United States to determine only rights under the Convention and not the merits of any underlying child custody claims." 22 U.S.C. § 9001(b)(4). Consequently, Mr. Sorensen should not conduct a traditional allocation of parental responsibilities analysis.

Signed March 15, 2018

BY THE COURT



Jill N. Parrish
United States District Court Judge